



05909 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5051-574CT
DATE: March 17, 2004



**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☒ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/180,753; filed June 26, 2002, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims the benefit of Provisional Application No. 60/300,933; filed June 26, 2001.

Inventor(s) or Application Identifier:

Linda D. Martin
Kenneth B. Adler
Yuehua Li

Entitled:

Blocking Peptide for Inflammatory Cell Secretion

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 36 pages of Specification (including 34 claims)
3. ☒ 17 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated

by reference therein.

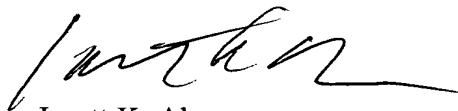
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s) Copy from Parent Application*)
9. ☒ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 0 references cited
11. ☒ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventors(s) (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☒ Other: **Statement in Lieu of Sequence Listing, Petition and Fee for Extension of Time**

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	34 - 20 =	14	x 09 = \$126.00	x 18 = \$
INDEP CLAIMS	7 - 3 =	4	x 43 = \$172.00	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$683.00	Total \$

- ☐ A check in the amount of \$ to cover the filing fee is enclosed.
☒ A check in the amount of \$738.00 is enclosed to cover the filing fee, PLUS the Extension of Time fee (\$55.00).
☐ Please charge my Deposit Account No. 50-0220 in the amount of \$.
☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
 a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Jarett K. Abramson
Registration No. 47,376

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 193584313 US

Date of Deposit: March 17, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Clara R. Beard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Martin et al.

Continuation of Serial No.: 10/180,753

Serial No.: To Be Assigned

Filed: Concurrently Herewith

For: *Blocking Peptide for Inflammator y Cell Secretion*

Date: March 17, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME
(37 C.F.R. § 1.136(a))

1. This is a petition for an extension of time for a total period of one (1) month to respond to the Advisory Action dated March 5, 2004.

2. A response in connection with the matter for which this extension is requested:

☒ is filed herewith.

☐ has been filed.

3. Applicant:

☒ Claims small entity status. See 37 CFR 1.27.

☐ Does not claim small entity status.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

	<u>Total Months Requested</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/>	one month	\$110.00	\$55.00
<input type="checkbox"/>	two months	\$420.00	\$210.00
<input type="checkbox"/>	three months	\$950.00	\$475.00
<input type="checkbox"/>	four months	\$1,480.00	\$740.00
<input type="checkbox"/>	five months	\$2,010.00	\$1,005.00

Fee Enclosed \$55.00

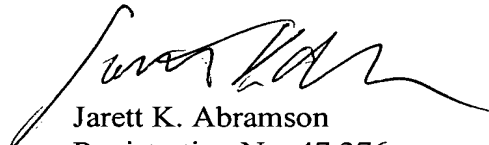
03/19/2004 ANABI1 00000004 10802644
04 FC:2251 55.00 DP

CIPF

In re: Martin et al.
Serial No.: To Be Assigned
Filed: Concurrently Herewith
Page 2

- ☒ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card (Form PTO-2038) is enclosed.
- ☒ Charge Deposit Account No. 50-0220 for any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,


Jarett K. Abramson
Registration No. 47,376

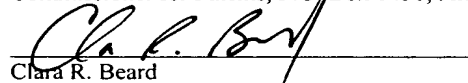
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Clara R. Beard